

1 Q And he provides services to them during the -- the  
2 period of time during the day that he's -- during his daily  
3 hours that -- when he's working for TBN? Is that correct?

4 A I do not know that. I know he puts in an awful lot  
5 of overtime, extra time, for which he is not compensated and  
6 to what extent he divides that amongst these other technical  
7 consultant areas, I, sir, do not know.

8 Q But his income from TBN is not affected at all by  
9 the services he renders for Jacksonville Educators  
10 Broadcasting, Inc.? Am I correct?

11 A I believe that is correct.

12 Q Let's skip NMTV and turn to All American T.V., Inc.  
13 To your knowledge does he still serve as Technical Consultant?

14 A I, I don't know.

15 Q Do you know what services he rendered as of October  
16 3, 1991 to All American T.V., Inc.?

17 A I have no specific knowledge or information. I know  
18 he helped them build their T.V. stations, but once the  
19 building process was over I think that consultation  
20 diminished, if not disappeared.

21 Q Do you know whether he received any compensation  
22 from All American T.V., Inc.?

23 A I do not know. He may have.

24 Q And, in any event, whatever time he devoted while he  
25 was working for Trinity -- strike that. His income from

1 Trinity was not affected by any services he rendered on behalf  
2 of All American T.V., Inc.? Correct?

3 A Not to my knowledge.

4 Q Now, do you know whether Mr. Miller still serves as  
5 Technical Consultant to Sunlight Broadcasting Systems?

6 A I believe he does.

7 Q And do you know what services he renders?

8 A I know at this moment he's rendering some service in  
9 the building of a new T.V. station in -- somewhere in  
10 Tennessee.

11 Q And is he compensated to your knowledge by Sunlight  
12 Broadcasting Systems?

13 A He may be, but not to my knowledge.

14 Q And, again, his income from TBN is not altered in  
15 any fashion by the services he renders for Sunlight?

16 A Not to my knowledge.

17 Q Are there any other affiliates of TBN -- and by  
18 affiliates I mean entities with whom TBN has an Affiliation  
19 Agreement. Are there any such entities that -- other entities  
20 that Mr. Miller has any relationship with?

21 A I am not sure. I do not know.

22 Q Now, you recall there was a document we reviewed in  
23 your deposition and I can find it for you? It's called  
24 Agreement to Provide Business Services. Well, maybe we ought  
25 to just look at that for purposes of a clear record. That

1 would be Bureau Exhibit 337.

2 MR. TOPEL: In Volume 6.

3 BY MR. COHEN:

4 Q Now, my question, Dr. Crouch, is there was a time  
5 when TBN provided business services along the lines that are  
6 reflected in this document to Jacksonville Broadcasting? Is  
7 that correct?

8 A I believe so.

9 Q And to Community Educational?

10 A I believe so.

11 Q Do you have a -- what's your best recollection as to  
12 when TBN provided those services to both entities?

13 A Speaking only of JEB and CET now?

14 Q Yes.

15 A That service was terminated somewhere between one or  
16 two years ago.

17 Q Thank you. Now, you are, of course, aware of the  
18 entity that you've described in the record called Media  
19 Services Agency?

20 A Yes.

21 Q Does Media Services Agency provide services to any  
22 of the entities that I've asked you about? If you're not  
23 clear, I'll go through each and every entity. Should I do  
24 that? Would that be better?

25 A Well, perhaps you should.

1 Q Yes. Has Media Services provided -- Media -- what  
2 is it called again?

3 A Media Services --

4 Q Media Services.

5 A -- Agency.

6 Q Has it provided its services to Community  
7 Educational Television, Inc.?

8 A Yes.

9 Q Jacksonville Educators Broadcasting, Inc.?

10 A Yes.

11 Q National -- well, of course we know about NMTV. All  
12 American T.V., Inc.?

13 A Yes.

14 Q Sunlight Broadcasting Systems, Inc.?

15 A No. Let me say, Mr. Cohen, that I know that on some  
16 of Sunlight stations Media Services has provided no service,  
17 but I am -- I'm searching my memory. Well, to the best of my  
18 knowledge, now that I think about it, I think that answer is  
19 still no, but I, I could be in error on maybe one of those  
20 stations.

21 Q How about Oceana Broadcasting Network?

22 A No. We do not provide services.

23 Q Prime Time Video?

24 A No.

25 Q Prime Time Christian Broadcasting?

1           A     Let me back up to Prime Time for just a moment. It  
2 may be that Media Services provides some service on the  
3 Midland/Odessa station, but I'm not 100 percent sure of that.

4           Q     And that's -- the licensee of that station is now  
5 Prime Time Christian, isn't it?

6           A     Prime Time Christian Television, I believe.

7           Q     Is that the same as Prime Time Video or is that a  
8 different entity?

9           A     You know, I'm not sure, sir.

10          Q     Well, why don't you look at Joint Exhibit 2 -- Joint  
11 Exhibit 1, rather, page 31 -- page 30. Maybe that will answer  
12 your question. Look at paragraph 51 and 52. Does that help  
13 your recollection?

14          A     I believe they are one and the same, yes, now known  
15 as Prime Time Christian Broadcasting, Inc. Yes, I believe  
16 they are one and the same.

17          Q     So now that you've had a chance to look at this,  
18 what is your testimony concerning the relationship of, of this  
19 entity to Media Services?

20          A     This is only talking about retiring indebtednesses  
21 and doesn't really talk about the services as I see it.

22          Q     I'm aware of that. I'm just using this as a  
23 reference point.

24          A     Yeah. I understand.

25          Q     But --

1           A     I really don't believe that, that Media Services  
2 provides any service to Prime Time. I could be in error, but  
3 I don't believe they do.

4           Q     What about Sunlight Broadcasting Systems? I've  
5 asked you about Sunlight.

6           A     Yes.

7           Q     Radiant Life Ministries?

8           A     I do believe that Media Services provides services  
9 to one station only and that would be Greensboro, North  
10 Carolina.

11          Q     Thank you. Now, does Planck Technical Services  
12 provide construction services for any of the entities I've  
13 mentioned, and I can go through the list again if --

14          A     I think they have provided construction services to  
15 virtually all of them, sir. I believe so.

16          Q     Thank you. I want to change the focus if I could,  
17 Dr. Crouch, of the questions for a moment. The Commission  
18 Designation Order in this proceeding was released in April of  
19 1993. You can accept that as a fact.

20          A     Okay.

21          Q     Since that date has NMTV made any changes in the way  
22 it conducts its activities with particular reference to the  
23 following areas: Do the same attorneys represent it?

24          A     I believe they do.

25          Q     Do the same public accountants represent it?

- 1           A     I believe they do.
- 2           Q     Do the same Consulting Engineers represent it?
- 3           A     Yes.
- 4           Q     Are the same persons signatories to NMTV bank
- 5 accounts that were in -- they were signatories in April of
- 6 1993?
- 7           A     I couldn't swear to that, sir. There may have been
- 8 some internal changes there, but it -- they would have just
- 9 been perfunctory.
- 10          Q     But no NMTV director who was not an employee of
- 11 Trinity is a signatory of NMTV bank accounts as we speak? Is
- 12 that correct?
- 13          A     You lost me there. No employee what?
- 14          Q     I'm asking -- I'm sorry. As you sit here today am I
- 15 correct that Pastor Ramirez -- neither Pastor Ramirez nor
- 16 Pastor Hill are signatories to any NMTV bank account?
- 17          A     I am not aware of it if they are.
- 18          Q     Now, since April of 1993 has NMTV changed its
- 19 reliance on TBN in any way?
- 20          A     I don't believe it has. I -- not to my knowledge,
- 21 sir.
- 22          Q     The Agreement to Provide Business Services is still
- 23 in effect?
- 24          A     That is my understanding.
- 25          Q     There is information in the record about the hiring

1 of a lawyer named Tyrone Brown. You're familiar with Mr.  
2 Brown, I take it?

3 A Yes, sir.

4 Q First of all, did Trinity retain Mr. Brown to  
5 represent it?

6 A The best of recollection, Mr. Cohen, is that Pastor  
7 E. V. Hill strongly recommended that we secure some additional  
8 -- particularly FCC counsel and he recommended Mr. Brown  
9 highly as a former member of the Commission and very competent  
10 to help and advise NMTV in this present proceeding.

11 Q So he was hired by NMTV?

12 A I believe so. That is my understanding.

13 Q Was he also retained by Trinity?

14 A I don't know.

15 Q Now, does Mr. Brown still represent NMTV?

16 A I do not know that. I just don't know.

17 Q But he may be as we speak? Is that it?

18 A Well, he came and met with the Board at National  
19 Minority and gave us some -- we believe some good advice on  
20 what we were facing in this proceeding and I believe helped us  
21 a great deal, but he made no recommendations for any changes,  
22 and that was a one time, I guess, bit of advice and whether or  
23 not he still considers or the Board still considers him to  
24 represent NMTV, I really can't say.

25 Q Well, let me ask you this question. In connection



1 with preparing for and participating in this hearing, did Mr.  
2 Brown render any services?

3 A I don't believe so. Not to my knowledge.

4 Q Would you please look at Bureau Exhibit 145?

5 MR. TOPEL: That's in Volume 3.

6 DR. CROUCH: I'm there, sir.

7 BY MR. COHEN:

8 Q Now, I'm correct -- I believe that that action was  
9 taken upon the advice of Mr. Juggert? Am I correct?

10 A I believe it was.

11 Q And prior to the time that this document was  
12 executed by you, did you discuss it with Mrs. Duff and Mr.  
13 Espinoza?

14 A I, I may have, sir, but I have no independent  
15 recollection of that.

16 Q On page 91 of your deposition on October 5th, line  
17 16, I asked you, "Did you discuss that document with your  
18 fellow directors?" and your answer was, "I believe we did."  
19 Question, "Was that discussion in a face to face meeting or in  
20 a telephone conversation?" Answer, "I don't know that it was  
21 since this was an action by written consent." Question, "Did  
22 you discuss that by phone with Mrs. Duff?" Answer, "Probably  
23 in person with Mrs. Duff." Question, "How about with David  
24 Espinoza?" Answer, "I don't recall any conversation with  
25 David Espinoza on it." I want to ask you about Bureau Exhibit

1 256.

2 BY MR. TOPEL: That would be in Volume 5.

3 DR. CROUCH: Yes, sir. I'm there.

4 BY MR. COHEN:

5 Q Yes. And just take a second. It's just a short  
6 document. Would you read that to yourself and then I have a  
7 question?

8 A I've read it.

9 Q I'm correct that you have no recollection of  
10 discussing the sale of the Odessa station with Reverend  
11 Espinoza before he signed off on this by written consent? Am  
12 I correct?

13 A I have no independent recollection of that, no, sir.

14 Q Going on to another matter. I want to bring you  
15 back to the April 23, 1991 Board meeting of NMTV and I'll,  
16 I'll get the citation for you on that. That would be Bureau  
17 Exhibit 142.

18 MR. TOPEL: Volume 7.

19 MR. SHOOK: What was the date you gave, Mr. Cohen?

20 MR. COHEN: What?

21 MR. SHOOK: What was the date?

22 MR. COHEN: April 20, 1993.

23 DR. CROUCH: I'm there.

24 BY MR. COHEN:

25 Q Now, why don't you just spend -- in fairness to you,

1 | why don't you just spend a minute familiarizing yourself  
2 | generally with the document and then I'll ask you some  
3 | questions about it specifically, but take as much time as you  
4 | need to just familiarize yourself, and then you tell me when,  
5 | when you're ready.

6 |       A     I've generally scanned it, Mr. Cohen.

7 |       Q     Now, you will notice, Dr. Crouch, in reviewing that  
8 | document that you abstained from voting at that meeting.

9 |       A     Yes.

10 |       Q     Does that -- I don't know if your recollection needs  
11 | to be refreshed, but you recall that?

12 |       A     Yes, I do.

13 |       Q     And it's true that you abstained from voting upon  
14 | the advice of Colby May, your counsel? Correct?

15 |       A     That is correct.

16 |       Q     And what was the advice that Mr. May gave you as to  
17 | why you should abstain?

18 |       A     You will remember, Mr. Cohen, that in my deposition  
19 | I, I honestly couldn't recall --

20 |       Q     I do remember that.

21 |       A     -- at the time. Since my deposition I have asked  
22 | Mr. May about that and --

23 |       Q     And what, what did Mr. May tell you?

24 |       A     That simply since this matter had been designated  
25 | for hearing, than in an abundance of caution that he

1 recommended that I simply abstain from these votes.

2 Q Now, isn't it true that the advice that Mr. May gave  
3 you was based upon the Commission's Designation Order calling  
4 into question NMTV's qualifications as a minority owned  
5 company and NMTV's dependence or independence from you and  
6 TBN?

7 A That may have been a part of it. Whatever was  
8 contained in that Hearing Designation Order, sir, I just --  
9 I'm not qualified to comment on.

10 Q No, I understand that, but that's not what I'm  
11 asking you. I'm talking about isn't that what Colby May told  
12 you?

13 A All I recall --

14 Q That's what his advice was based upon?

15 A All I recall him telling me was since this matter  
16 had been designated for hearing that in an abundance of  
17 caution I should simply abstain from these votes.

18 Q Well, I want to, I want to show you, and this has  
19 been admitted into evidence, what Mr. May testified to on this  
20 point.

21 MR. COHEN: Can we go off the record, Your Honor?

22 (Off the record.)

23 MR. COHEN: What I'd like to do, Your Honor, so this  
24 is the quickest way, just to read into the record --

25 JUDGE CHACHKIN: -- in evidence?

1 MR. COHEN: This in evidence, Your Honor, yes.

2 JUDGE CHACHKIN: What page are you reading from?

3 MR. COHEN: Paragraph 20, page 12.

4 MR. TOPEL: Of what document?

5 MR. COHEN: Mr. May's testimony.

6 BY MR. COHEN:

7 Q "I also advised Dr. Crouch to abstain from voting in  
8 NMTV's April 20, 1993 Board meeting. I did this for the same  
9 reason, namely, that NMTV's qualifications as a minority owned  
10 company and its independence from Dr. Crouch and TBN had just  
11 been called into question in the Hearing Designation Order."  
12 And that's a direct quote from Mr. May's testimony. Do you  
13 recall Mr. May telling you that?

14 A I don't recall exactly those words. That's the  
15 first time I've heard Mr. May's testimony read, so I would  
16 feel that essentially that is pretty much what he said to me,  
17 although I don't remember that exact wording or statement.

18 Q That was the substance of it, though?

19 A I believe so.

20 Q And it was based upon that advice that you  
21 abstained?

22 A Yes.

23 Q Now, have you voted on subsequent matters before the  
24 NMTV Board, subsequent matters that occurred subsequent to  
25 April 23, 1993?

1           A     I don't recall any such votes.

2           Q     Have there been any Board meetings since April 20,  
3 1993?

4           A     I don't recall any specific meetings.

5           Q     Have there been any meetings of directors where  
6 minutes haven't been taken --

7           A     Not to my --

8           Q     -- since April 20, 1993?

9           A     Not to my knowledge, sir.

10          Q     Have you participated in any decisions on behalf of  
11 NMTV subsequent to April 20, 1993?

12          A     I'm not aware of any specific decisions. I, I  
13 spend, as I've testified, sir, such a little time with --  
14 roughly on the average a half-an-hour a week and it has been  
15 such a small percentage of my time that I -- I'm generally  
16 aware fairly recently of a new program that is being produced  
17 by NMTV, but if you're asking me have I directly participated  
18 in any decisions with regard to NMTV, I think I'd have to say  
19 no.

20          Q     So the record's clear because I want to be very fair  
21 to you, Dr. Crouch, you've said to me there haven't been any  
22 Board meetings since April 20, 1993?

23          A     I don't recall any.

24          Q     You don't recall participating in any Board meetings  
25 subsequent to April 20, 1993?

1           A     No, sir.

2           Q     And you don't recall participating in any meetings  
3 of the directors where minutes weren't taken?

4           A     No, sir.

5           Q     And you don't recall participating in any decision  
6 involving you as a director of NMTV --

7           A     No, sir.

8           Q     -- subsequent to April 20, 1993?

9           A     No, sir.

10          Q     And is it your intention to not participate in any  
11 decisions affecting NMTV for the immediate future?

12          A     I would probably defer to counsel on that on routine  
13 matters. I don't see any problem in carrying on business as  
14 usual. I'm still the President of that company and there are  
15 certain functions, I presume, that I will be required by law  
16 to, to entertain, but I will defer to counsel again on what my  
17 actions would be in that regard.

18          Q     Well, let me, let me show you Mr. May's testimony on  
19 that and read paragraph 20. "I just felt that Dr. Crouch  
20 should abstain in that meeting where the Board was to vote on  
21 the election of Armando Ramirez as a director and the  
22 retention of my law firm to jointly represent NMTV as a party  
23 in the Miami proceeding along with Trinity Broadcasting of  
24 Florida, Inc. and TBN. This was conservative and I believe  
25 prudent advice, although I have since advised NMTV that Dr.

1 Crouch should continue to participate in all votes of the  
2 Board." Let me repeat that. "And I believe prudent advice,  
3 although I have since advised NMTV that Dr. Crouch should  
4 continue to participate in all votes of the Board. Thus, Mr.  
5 May is stating in his testimony which has been admitted into  
6 evidence that his advice is that you should participate in all  
7 votes of the Board and you propose to accept that advice?

8 A Well, I'm glad to know that. That's the first I  
9 heard of that. If he told me that earlier, I, I don't recall  
10 it.

11 Q But do you propose to accept that advice?

12 A Yes.

13 Q Now, aren't the same issues regarding NMTV's  
14 qualifications still pending before the Commission?

15 A I believe they are.

16 Q And aren't the same issues concerning NMTV's  
17 independence from you still pending before the Commission?

18 A I believe they are.

19 Q Now, it's true, isn't it, Dr. Crouch, that you  
20 believe Norman Juggert ought to be an officer of NMTV?

21 A As I've stated on the record so many times, sir, I  
22 -- it was my desire for key members of the Boards and key  
23 staff members to act not in voting capacities, but in  
24 officership capacities for convenience because so many of us  
25 traveled and signatures were sometimes difficult to garner.



1 Q Well, in that, in that connection isn't it your  
2 belief that, that Norman Juggert ought to be -- should be an  
3 officer of NMTV? I'm not saying a director. I'm saying an  
4 officer.

5 A I would certainly hope he could be.

6 Q Now, I think it's important for the record to  
7 reflect that you've had a very close relationship with Mr.  
8 Juggert commencing in the 70s. Isn't that correct?

9 A Close relationship is subjective, sir.

10 Q Yes, it is. Would you, would you characterize your  
11 relationship with him as close?

12 A He is a, a friend, a fellow Board member for Trinity  
13 Broadcasting, yes.

14 Q But it's fair then you think to characterize your  
15 relationship with him as close or is that unfair or inaccurate  
16 rather than unfair?

17 A We are not social friends. We don't meet socially  
18 if that's what you mean.

19 Q Well --

20 A Close is a very subjective term, sir.

21 Q I understand. At your deposition on October 5th at  
22 page 127, line 5, I asked you, "He," meaning Mr. Juggert, "has  
23 had a close relationship with you commencing in the 70s.  
24 Isn't that correct?" and your answer was, "Yes." Now, do you  
25 rely -- you have relied upon Mr. Juggert for advice since the

1 inception of Trinity? Isn't that correct?

2 A Yes, sir.

3 Q Now, would you please make clear for the record in  
4 what areas you look to Mr. Juggert for advice and what areas  
5 you look to Mr. May for advice?

6 A Mr. Juggert is a California corporate law attorney  
7 and his specialty is in the non-profit area. We would look to  
8 him for general matters relating to corporate law, contracts,  
9 unique California law. To Mr. May we would look to him more  
10 for FCC Agency counsel.

11 Q Now, is the Community Grace project an example of an  
12 area where you would look to Mr. Juggert for advice?

13 A Yes.

14 Q And do you -- I want to go on to another area. Do  
15 you recall -- and I can show you the minutes if you want to  
16 see them. Do you recall there came a time that NMTV was  
17 exploring the purchase of a station in Concord?

18 A Yes, sir, I'm, I'm vaguely aware of that.

19 Q And that never came to fruition? Am I correct?

20 A No, sir.

21 Q Do you recall who conducted those negotiations for  
22 the purchase?

23 A I remember being somewhat involved in those  
24 negotiations along with Mrs. Duff.

25 Q Let me see if I can refresh your -- help refresh

1 your recollection. And the way those -- that would -- your  
2 attention is Jim Gannon brought the Concord facility to your  
3 attention? Is that correct?

4 A I believe that is correct, sir.

5 Q And you received financials on the Concord station  
6 from Mr. Gannon, didn't you?

7 A I basically remember receiving some financial  
8 information, yes, sir.

9 Q And how far did those negotiations proceed before  
10 they were aborted?

11 A It's hard for me to recall just how long. I think  
12 consideration and deliberations went on for some weeks  
13 perhaps. I think part of the reason that deal collapsed was  
14 we couldn't get together on price among other things.

15 Q And was any consideration given by you in connection  
16 with the prospective purchase of the Concord station to the  
17 minority population served by that station?

18 A I don't, I don't recall any particular attention  
19 given to that inasmuch as we didn't perceive that to be a part  
20 of the Commission's policy. It was integration into station  
21 ownership that we were, that we were focusing on.

22 Q Now, I want to change the focus for a moment in the  
23 examination and ask you to refer please to Bureau Exhibit 125.

24 MR. TOPEL: Volume 3.

25 DR. CROUCH: I'm there, sir.

1 BY MR. COHEN:

2 Q Thank you. Now -- I'm now asking you about the, the  
3 first paragraph. Please read that to yourself. That concerns  
4 the acquisition of the Odessa station.

5 A You mean the second paragraph then?

6 Q The second paragraph. I stand corrected. Tell me  
7 when you've read that.

8 A Yes, sir, I've read that paragraph.

9 Q Okay. You're the one, aren't you, who brought the  
10 proposal to the Board to buy the CP?

11 A Yes, I was.

12 Q Now, before you brought this matter to the Board,  
13 did you study the size of the market?

14 A No, no, sir, I didn't.

15 Q Did you study the possibility of cable coverage?

16 A No, sir.

17 Q Did you study the, excuse me, the demographics of  
18 the minority population --

19 A No.

20 Q -- served by the station?

21 A Not to my recollection.

22 Q And by that I mean the number of minorities and  
23 where they resided?

24 A No.

25 Q Did you study the extent of cable penetration in the

1 market?

2 A Not at that time.

3 Q Did you study the extent of cable penetration among  
4 the minorities who resided within the service contour of the  
5 --

6 A No, sir.

7 Q -- of the Odessa station?

8 A No, sir.

9 Q Now, as I understand it, the minutes speak to the --  
10 speak to this. January 26, 1987 was when the officers of the  
11 corporation made the authorization to go forward and acquire  
12 Odessa.

13 A Yes.

14 Q You agree with that?

15 A Yes.

16 Q And when did you reach the decision that the station  
17 should be sold or the construction permit or the station  
18 should be sold?

19 A Oh, it was some years later after the station had  
20 been constructed and was, was actually on the air.

21 Q Now, I want you to look at Bureau Exhibit 147.

22 REPORTER: Now is a good time to change the tape.

23 (Off the record. Back on the record.)

24 BY MR. COHEN:

25 Q Now, Dr. Crouch, just a few months later in June of

1 1987 the minute reflects that you moved that the corporation  
2 explore the feasibility of entering a transaction so the  
3 construction permit would be transferred to another qualified  
4 broadcaster and the corporation would acquire a construction  
5 permit for operating a station in another area. Does that  
6 refresh your recollection?

7 A Yes, sir.

8 Q So it was just a few months after the January 1987  
9 authorization that you suggested to your colleagues on the  
10 Board that the Odessa permit be sold? Am I correct?

11 A Yes, sir.

12 Q When did you -- am I correct that there came a time  
13 that you studied the, you studied the coverage of the Odessa  
14 station?

15 A It was obviously between these two minutes that I  
16 did take a look and came to the conclusion -- at least I came  
17 to the conclusion, that because of the size of the market,  
18 because of the lack of cable penetration and you'll remember,  
19 sir, back in this date we did not have the "must carry" rules  
20 that we now have, that I just came to the conclusion that this  
21 would not be a viable station for National Minority to, as its  
22 first property, to acquire and build.

23 Q So that the record's clear then, it was between  
24 January of 1987 and June of 1987 that you studied the coverage  
25 of the station? Am I correct?

1           A     Seems to me that would have to be the case, sir.

2           Q     And it was between January of '87 and June that you  
3 studied the size of the market? Is that correct?

4           A     That would certainly seem to be the case.

5           Q     And it was between January and June that you studied  
6 the possibility of cable coverage?

7           A     I believe that to be true.

8           Q     Now, do you have a clear recollection of doing that  
9 study between January and June on those matters that I just  
10 referred to?

11          A     I don't have any crystal clear recollection of it.  
12 I'm sure I looked up the market size in the fact book, studied  
13 the population size. One other factor that just comes to me.  
14 I determined also that the cable penetration was extremely  
15 high which meant that the station would not enjoy ever a very  
16 large potential viewership which discouraged me even more.

17          Q     And you learned that between January 1987 and June  
18 1987?

19          A     I believe I did, sir.

20          Q     Now, did you at any time between January and June  
21 study the demographics of the minority population to be served  
22 by the station?

23          A     Not to my knowledge.

24          Q     You didn't study the numbers of -- what the numbers  
25 would be as far as minority and where they would, and where

1 they would reside?

2 A I don't --

3 Q Where they did reside.

4 A I didn't particularly feel I needed to, sir. I knew  
5 that Midland/Odessa and all of that Texas area is rather high  
6 in Hispanic population.

7 Q Did you study between January of '87 and June of '87  
8 the extent of cable penetration among the minorities within  
9 the service area?

10 A No, sir.

11 Q Did you study between January and June of 1987 the  
12 need for the minority population for local programming?

13 A No, sir.

14 Q Wasn't one of NMTV's goals to seek or to serve  
15 minority dominated areas?

16 A Informally, yes, sir. Between the members of the  
17 Board and myself that was always a goal. That was never  
18 enunciated formally, if we talked earlier in the Constitution  
19 or the Bylaws of the corporation, simply, sir, because we did  
20 not perceive that to be of paramount importance to the agency.  
21 I say again our focus was upon minority integration into  
22 ownership as opposed to serving minorities' needs. We wanted  
23 to fulfill the emerging policy of the Commission in this area.  
24 We believe we have done that in an exemplary fashion and --  
25 but at the same time in a less formal way. Since that was, in



1 my understanding, not a part of the Commission's policy, we  
2 focused on minority ownership as opposed to service to  
3 minority population or needs.

4 Q Now, insofar as the organizational documents of NMTV  
5 are concerned and its predecessor, Translator Television,  
6 Inc., and I refer you to the Articles of Incorporation, and  
7 you testified this morning, and you're welcome to look at them  
8 again, the Articles state that the corporation was formed for  
9 religious purposes. Isn't that correct?

10 A That is absolutely true.

11 Q And has there ever been a document adopted by NMTV  
12 which states its purposes are other than religious purposes?

13 A Not to my knowledge, but our feeling is that the  
14 religious purposes assist the minority community just as much  
15 as it does the non-minority community.

16 Q Now, there did come a time finally that Odessa was  
17 sold?

18 A Yes, sir.

19 Q And that was in -- I think in 1990, and I can stand  
20 corrected. I'll find that.

21 A I'll accept that if you say so.

22 Q I'll have to find it.

23 JUDGE CHACHKIN: The date that it was sold? Is that  
24 what you're looking for?

25 MR. COHEN: Yes, when they decided to sell Odessa.